

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CAROTEK, INC.,	:	x
	:	Civil Action No. 07 Civ. 11163 (NRB)
Plaintiff/Counter-defendant	:	
-against-	:	DEFENDANT/COUNTER-PLAINTIFF'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT
KOBAYASHI VENTURES, LLC,	:	
	:	
Defendant/Counter-plaintiff.	:	

DEFENDANT/COUNTER-PLAINTIFF'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT

COUNSEL:

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, dated September 3, 2008; the proposed Order; and all pleadings and proceedings heretofore had herein, Defendant/Counter-plaintiff, Kobayashi Ventures, LLC (“Kobayashi”), by its attorneys, Jeffrey M. Schwaber, Alexia Kent Bourgerie, and Stein, Sperling, Bennett, De Jong, Driscoll & Greenfeig, P.C., will move this Court, before the Honorable Naomi R. Buchwald, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time set by the Court, pursuant to Federal Rule of Civil Procedure 56, for an order allowing Counter-plaintiff to obtain partial summary judgment in this matter.

Dated: September 3, 2008

STEIN, SPERLING, BENNETT,
DE JONG, DRISCOLL &
GREENFEIG, P.C.

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By:

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of September, 2008, I will electronically file the foregoing with the Clerk of the Court using the ECF system, which will then send a notification of such filing (NEF) to the following:

Raymond R. Castello
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And I hereby certify that I will mail the document by U.S. mail to the following non-filing user(s):

John Garretson
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By: _____ /s/
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